

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON OCTOBER 15, 2013 AT 6:00
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: **Doug Croley, Chair – District 2**
 Eric Hinson, Vice-Chair – District 1
 Brenda Holt – District 4
 Sherrie Taylor – District 5
 Nicholas Thomas, Clerk of Court
 Deborah Minnis, County Attorney
 Robert Presnell, County Administrator
 Marcella Blocker, Deputy Clerk

Absent: **Gene Morgan – District 3 (excused)**

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Croley called the meeting to order at 6:00 p.m. and asked everyone to please stand for the prayer and the Pledge of Allegiance. A silent roll call was taken by Marcella Blocker.

AMENDMENTS AND APPROVAL OF AGENDA

Chair Croley stated there were amendments to the Agenda and asked Mr. Presnell to please share them.

The following amendments were made:

- Move Item 15 to Item 8
- Move Item 8 to Item 8A

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO MOVE ITEM 15 TO ITEM 8 AND ITEM 8 TO ITEM 8A.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO APPROVE THE AGENDA AS AMENDED. ITEMS 9-14, 16 and 17.

AWARDS, PRESENTATIONS AND APPEARANCES

1. Recognition of “Men of Distinction”

Mr. Presnell said Mr. Hinson had a presentation for “The Men of Distinction”. Commissioner Hinson called Mr. Calvin Robinson and “The Men of Distinction” forward, gave a background history, read the Resolution to the audience and presented a Resolution to Mr. Robinson.

Mr. Robinson thanked the Commission and had a few words of appreciation to say.

2. Dr. Richard A. Carvajal
President, Bainbridge State College

Mr. Presnell introduced Dr. Carvajal.

Dr. Richard A. Carvajal, President of Bainbridge State College, appeared before the Board and informed them that Bainbridge College would like to be a player in trying to improve the economic lot for the residents of Gadsden County with the programs they offer. He gave the Board a little background of what was available at the college. He also informed them that if any student from Gadsden County wished to attend Bainbridge College, they could do so at the same rate as a Georgia resident. He also said that starting next fall, they would start offering their first four year degree with a concentration specifically focused on the job needs of this area and said it's about "training local for a life that is local".

Commissioner Holt also mentioned they offered a great nursing program.

CLERK OF COURTS

3. County Finance and County Clerk Issues

Mr. Thomas spoke briefly on the potential impact with Gadsden County and the possible Federal Government shutdown and stated the County had several grants that the revenues were shared with the federal government and the State. He said if this turns into a default, the County had an outstanding commitment of approximately \$7.3 Million and contracted obligations with the Federal Government, most of which is with FDOT that could be affected and might not be reimbursed as timely as the past.

Commissioner Holt asked if there were a default, what would the Board do as far as the contracts.

Mrs. Minnis said the individual contracts would need to be reviewed to determine what the best course of response would be.

Clerk Thomas said he would email a schedule of the contracted obligations to the Commissioners.

CONSENT

Mr. Presnell said the Consent Agenda was before the Board. Commissioner Hinson asked to pull Item 6 for discussion.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO APPROVE THE AGENDA AS AMENDED.

4. Approval of Minutes

-July 2, 2013 Probation Workshop

5. Ratification of Approval to Pay County Bills

6. ~~Approval of the Renewal of the Services Contract with Con Techs Health & Safety to Provide Drug and Alcohol Screening Services and Training Services~~ - Pulled for discussion

ITEMS PULLED FOR DISCUSSION

6. Approval of the Renewal of the Services Contract with Con-Techs Health & Safety to Provide Drug and Alcohol Screening Services and Training Services

Commissioner Hinson asked if this item had been bid out.

Mr. Arthur Lawson appeared before the Board and said the item had been bid out.

UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THE AGENDA AS AMENDED.

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Jeff Moore, resident of Potter-Woodberry Road, Havana, FL, appeared before the Board and said he was here regarding the widening of the road and added he had discovered that part of the design of the road was a safety concern. He added it had been discovered in talking with the engineer, there was a proposal to turn Shortcut Road into a one-way road heading North as opposed to the current two-way road.

Chair Croley thanked him for bringing this matter to the attention of the Board and said no action could be taken tonight with it being a non-agendaed item. He did ask Mr. Presnell to review the matter with the design engineers and report back to the Board.

PUBLIC HEARINGS

7. Public Hearing (Quasi-Judicial) Florida Telecom Services, LLC 220' Self Supporting Lattice Tower Preliminary Site Plan (SP-2013-05) with deviations, 39 Schwall Road, Tax Parcel OD #2-11-3N-2W-0000-00340-0000

Mr. Presnell introduced the above hearing and stated it was a quasi-judicial hearing and had four deviations, which required Board approval for construction of the tower.

Chair Croley explained it was a quasi-judicial hearing and would require everyone who wished to speak to be sworn in. He asked if any commissioner had had any ex-parte communication concerning this matter and stated he had and then declared he had been contacted by Delacy Peavy, the property owner, Mr. Loughmiller, Mr. John Ruth, Angela Parrish and Amy McBride.

Commissioner Hinson stated he had had ex-parte communications with Mr. Peavy, Ms. McBride and Mr. Loughmiller as well.

Lauralee Westine, Esquire, 800 Tarpon Woods Blvd., Suite E1, Palm Harbor, FL 34685, appeared before the Board and asked with there being an absent commissioner would it still take a super majority vote and asked if the hearing could be continued because of the absent commissioner.

Mrs. Minnis said her understanding was there had to be a vote of four of the five commissioners and with one commissioner being absent; it would not change to a three to one vote.

Ms. Westine said there were people present to speak in favor of and was sure there were some to speak in opposition of the tower and asked that they be allowed to speak tonight so they would

not have to return but asked otherwise, that the matter be continued until the next hearing based on the absent commissioner.

Commissioner Hinson asked if there was a quorum of the Board, where in the rules did it state that it took a super majority of the commission as a whole and not of the number of commissioners present to vote.

Mrs. Minnis explained, in order to conduct a meeting, there had to be a quorum of at least three; but according to the Citizens' Bill of Rights, their rules require a super majority of the commission as a whole and not a super majority of the commissioners present.

Chair Croley stated there was a request by the attorney, on behalf of the cell tower company, to continue this matter to the next meeting.

Commissioner Hinson stated he still had questions regarding the matter of a quorum and the voting matter and asked that this be more clearly clarified.

Commissioner Holt stated she felt the citizens and people present had the right to speak at this meeting and grant the continuance because with one commissioner being absent, it was a disservice to the people present.

Commissioner Taylor said her concern was with there being no true clarity with regard to the Citizens' Bill of Rights; she was willing to have the discussion tonight and grant their continuance of the hearing only for the decision to be made at the next hearing.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 TO CONTINUE THE VOTE UNTIL THE NEXT MEETING.

Ms. Westine gave a brief overview of the matter and addressed the four deviations they were requesting. She spoke on the concern of health issues, the lack of cell phone coverage in the area and added that Major Wood of the Gadsden County Sheriff's Department had mentioned to them of a murder in the area and the lack of cell phone coverage and also that their radios would not work in that area.

Jessie C. Sears, 112 MY Street, Havana, FL 32333, appeared before the Board and stated when they moved to the area, they had Verizon and it worked well up until several months ago and it quit working. She said she was involved in an automobile accident and placed a call to 911 and was routed to Georgia who then routed the call to Gadsden County. She asked that they please get service to the area.

Susan Roberts, Florida Gas Transmission, 1967 Commonwealth Lane, Tallahassee, FL, appeared before the Board and said everyone with the Company thought this was a very good idea and it was nice to know when she or anyone with her company was in the remote area, there would be reception.

William L. Brooks, 112 MY Street, Havana, FL 32333, said he was 68 years old, diabetic and had heart problems, if something happened, he would not be able to call for help.

Marion Lasley, 5 Dante Court, Quincy, FL, appeared before the Board and said the variances being asked were not minor but was major variances and she was concerned this would set precedence for future towers. She also asked that the landscaping around the tower be evergreen.

Shirley Dowling, 72 MY Street, Havana, FL, appeared before the Board and stated she had zero bars on her cell phone and was in support of the tower.

Amy McBride, 737 & 917 Schwall Road, Havana, FL, appeared before the Board and said her main concern was the health issues and when she asked, no-one could give her answers to her questions. She wanted reception to her phone but preferred her health over reception. She also stated there was a residence in close proximity to the tower closer than what had been stated.

Jan Rogers, 10622 FL-GA Highway, Havana, FL, appeared before the Board and spoke in support of the tower and the need of reception for cell phones in the area. He added there were folks concerned about the health issues and while he was not an expert, he has worked in the business for nearly 40 years and cell towers were not a hazard.

Joel Vichich, 109 Bobwhite Trail, Havana, FL, appeared before the Board and stated the last time he counted, there was approximately 112 residents in the area between Georgia and Florida and there was no reception to speak of and a person had to head toward Havana past the Hobbit Restaurant before there was any signal at all and he was in support of the tower.

Chair Croley called for any more speakers.

Colleen Meringolo, 2425 Wayside Farm Road, Havana, FL 32333, appeared before the Board and said she moved here in 2004, has her elderly Mother living with her and they have no reception and was very much in favor of the tower and added if you looked on the internet, it shows there is very little harm that comes from the radio-active waves and that before it gets from the top of the tower to the bottom, it dissipates and would become almost nothing.

Ms. Westine appeared before the Board for rebuttal. She said she had checked with the Deputy Clerk and it had been confirmed that no tower had been approved since 2003.

Chair Croley said they would now entertain discussion among the Commissioners and since this was located in his District, he went first. He noted that there was a serious gap in cell service in that area and the tower could help address that. He said he was satisfied that the property it was to be located on was suitable and he would like to lean hard on them to get Verizon on the tower.

Commissioner Hinson said this was an interesting situation. He added there was an occasion he needed to talk to his Wife one morning after she had left for work and time was limited because of the lack of service in the area. He added he thought things were moving in the right direction.

Commissioner Holt said they had voted to continue and asked that they move on.

Commissioner Taylor asked the Administrator to clarify the closest residence to the tower and added if she voted for this, she wanted to make sure it was a right fit for neighborhood.

Alaura Gutcher, Planning and Community Development Director, appeared before the Board to

answer questions posed to her concerning this matter. She read the difference in the definitions of “variance” and “deviation”.

Commissioner Hinson wanted to make sure that all of Ms. McBride’s concerns had been addressed.

Commissioner Holt wanted to make sure that it was clear to everyone that the quasi-judicial hearing would not be continued, that all of the testimony would need to be concluded at this meeting tonight.

Commissioner Taylor said she needed to know tonight if there was anyone living in close proximity of the tower.

Willie Brown with Planning and Community Development, appeared before the Board, said he had done the research, and did not recall any residential structures as close to the tower as was referenced by Ms. McBride.

Commissioner Taylor asked if she could call a speaker from the audience that sat on the P&Z Commission.

Dr. Gail Bridges-Bright, P&Z Board member, appeared before the Board to answer questions. She stated the P & Z Board’s major concern was the presenter could not give them information regarding the health issue questions but referred them to other experts or a website.

Commissioner Holt wanted clarity as to what everyone came back with, that had been cleared up and it was now time to move forward.

Ms. Westine returned to the podium and said the distance from the tower to the closest property line was 565 feet.

Commissioner Hinson asked if staff could do extensive research regarding the health issues raised tonight.

Mr. Presnell stated he had been advised that the health issues were referred to the website.

Chair Croley asked if the Commissioners had any more questions and there were none. He then asked the County Attorney the purpose of the Citizens Bill of Rights and super majority vote has to do with substantial variations, or in this case, deviations. He asked if this situation required a super majority vote.

Mrs. Minnis responded that the Citizens’ Bill of Rights did not speak to deviations, it talked about variances. She further explained that even though the Code talked about deviations, it did not give a definition for deviations and the applicant has been treated as though the Citizens’ Bill of Rights applied because they have already gone through the notices and meetings. So the Citizens’ Bill of Rights has been applied to this particular item.

Chair Croley wrapped things up, said there was the need, documentation was objectively presented about the health issue, there was a serious effort underway about co-location of having

other providers on the tower and on that basis he continued to support the effort and said that that would conclude this item.

GENERAL BUSINESS

8. Approval of the Naming of the Gretna Fire Station (moved to Item 8 from Item 15)

Mr. Presnell introduced the above item and said this was for consideration of naming the Gretna Fire Station the “Brenda A. Holt Fire Station”.

Antonio Jefferson, City of Gretna City Manager, appeared before the Board and asked that the building be called “The Brenda A. Holt Public Safety Complex” because they have a public safety unit and the police and fire are both located at that building.

Commissioner Taylor congratulated Commissioner Holt on this honor and said she had been diligent in the district.

UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 4-0 TO APPROVE RENAMING THE GRETNA FACILITY TO “THE BRENDA A. HOLT PUBLIC SAFETY COMPLEX”.

Commissioner Holt thanked everyone, said she was surprised and very much appreciated the honor.

8A. Family Homestead Subdivision Information Update

Mr. Presnell introduced the above item and said it required no action, but thought it prudent to bring this item before the Commission tonight to obtain input in what they would be trying to pursue. He said this would allow someone with small acreage to be able to cut out a parcel to give to children or family members. He added they felt this was a tool that could help people better utilize their property in a reasonable way.

Marion Lasley, 5 Dante Court, Quincy, FL, appeared before the Board and said her question was after five years could the property be sold outside of the family and if so, her concern was then a subdivision could possibly be created and the County did not have the infrastructure for that.

Mr. Presnell clarified that this was a recommendation and any recorded or unrecorded platted subdivisions such as Wayside Farms would not eligible for this, this would apply more to larger parcels in the County, but no subdivisions would be eligible.

Chair Croley asked if there were any more comments.

Commissioner Taylor said obviously, no more land was being made, there was no decrease in population and folks were having issues with property being subdivided. She asked the Attorney if the Citizens’ Bill of Rights would apply to this as well and also if this Ordinance had been sunset, could it now be amended.

Mrs. Minnis responded if this became an amendment to the Land Use Code and the Comprehensive Plan, there would have to be a super majority vote to approve the amendment. She added that once it is amended, it could go forward.

Mr. Presnell added the Ordinance was still in the Land Development Code and they will amend it and re-enact it.

Mrs. Minnis clarified the Board would be enacting a new Ordinance, but it would be an amendment to the existing Land Use Code.

Commissioner Hinson posed the question again regarding the super majority vote and said it was the interpretation of the attorney and he did not understand it and what Mrs. Minnis had read was not clear.

Chair Croley said for the sake of moving the matter, the interpretation of the item is a separate issue from what the Administrator was presenting here, while it may have a bearing on it, the Administrator was trying to gauge if it would go forward.

Commissioner Holt said the Citizens' Bill of Rights has to be put on the ballot; the item has to come to this Board to be voted on to go on an agenda; the Commissioners vote to place it on a ballot. She said that was the way to deal with it because it took three to place it on a ballot and you must get rid of the super majority vote. She added that the Administrator needed to know if four commissioners were willing to allow them to pull out three acre tracts so people would be able to give their children land out of certain areas.

Chair Croley said he thought it was presumptuous of any of them to say what the decision might be. He added that he had met with the Administrator and Property Appraiser concerning this and his thoughts were that he recognized and appreciated when a person lived on agricultural land, they might need to assist a family member, whether they were young or old. He added the Ordinance sunset because it caused serious problems for the public. He also added he thought the Administrator had offered a reasonable compromise. He told the Administrator if he could come up with a reasonable measure, he did not see there being a problem with the super majority vote.

Commissioner Hinson stated he had sat on the P&Z board forever as a school board member and was not against the Citizens Bill of Rights on some things.

Commissioner Taylor said Chair Croley took what was presented through the family homestead subdivision and watered it down to fit his need.

Chair Croley said this has caused a problem with the public, but he had no problem with the concept.

9. Approval and Signatures for Satisfaction of Special Assessment Lien(s) State Housing Initiative Partnership (SHIP) Program, Gadsden County Emergency Repair (ER) Program

Mr. Presnell introduced the above item.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.

10. Approval of the Construction, Engineering and Inspection Services to Stantec Consulting Services, Inc. for the Local Agency Program Project-Florida Department of Transportation-Shady

Rest Road (C.R. 270)

Mr. Presnell introduced the above item.

Commissioner Taylor asked if any other road would be considered other than Shady Rest Road or Salem Road.

UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.

11. Approval for Gadsden County Probation Division to Implement Court Ordered Vehicle Impoundment Program

Mr. Presnell introduced the above item and said this and the next three items dealt with the Probation Department. He said the Judge would impound vehicles in DUI cases and the vehicles have been going to different places at \$10.00 per day per car and now would be impounded by the County and handled through the Probation Department and would be housed at the County Yard at the old jail.

Commissioner Taylor wanted to disclose she had spoken with Ms. Chancey of the Probation Department regarding this matter.

UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.

12. Approval for Gadsden County Probation Division to Begin Administering Alcohol Breath Testing

Mr. Presnell introduced the above item and said this would allow the Probation Office to administer breath tests.

Commissioner Taylor wanted to disclose she had spoken with Ms. Chancey regarding this matter also.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.

13. Approval for Gadsden County Probation Division to Establish Victim Impact Panel

Mr. Presnell Introduced the above item, added this would be done on Saturdays; staff would be brought in but the money brought in would go to pay for that person that worked that Saturday.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.

14. Approval of Gadsden County Work Program Policy and Procedures

Mr. Presnell Introduced the above item and explained people would be sentenced to the County Work Program and they would be utilized at Public Works on Fridays.

Commissioner Taylor had questions and added that Road and Bridge was not opened on Fridays. The Administrator said they would be for this program and Mr. Young would have a rotating list.

UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE

BOARD VOTED 4-0 TO APPROVE THIS MATTER.

15. Approval of the Naming of the Gretna Fire Station moved to #8

16. Somos Uno, Inc. v. City of Midway and Gadsden County/Mediation Agreement

Mr. Presnell deferred this item to the County Attorney and Mrs. Minnis explained the mediation agreement.

UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, BEFORE THE VOTE WAS TAKEN, CHAIR CROLEY HAD CONCERNS.

Chair Croley said the County would have to go to other parties, get a clear deed in order to give a quit-claim deed to Midway.

Mrs. Minnis said yes, a clean deed would be given to the County, then the work would be done and the property would then be deeded to Midway.

Chair Croley maintained his position that he thought it was a foolish action on the part of the County to round up former owners to obtain clear title to deed to the City of Midway.

Mrs. Minnis said the property had attempted to be conveyed to the County in the past and that clouded the title to begin with and the individuals were known and it would be a matter of getting a clean deed and giving same to the City of Midway.

THE BOARD VOTED 3-1 BY VOICE VOTE TO APPROVE THIS MATTER. CHAIR CROLEY OPPOSED.

17. Approval of National Solar Economic Development Agreement

Mrs. Minnis said this was the original agreement that had been executed and returned to them and she was asking for authorization to approve same and for the Chair to execute.

UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER AND TO AUTHORIZE CHAIR TO SIGN AGREEMENT.

COUNTY ADMINISTRATOR

18. Update on Board Requests

Mr. Presnell said on October 25th at 10:00 a.m. there would be a ribbon-cutting for the remodeled Courtroom and hoped everyone would be in attendance.

He added he was working with TCC for a business forum and there was no firm date yet.

Commissioner Holt said she had received a call inviting her to a meeting on Friday night in this room. Mr. Presnell said the meeting had been cancelled. She asked to have something in place procedure wise so the Administrator handled this type of matters.

Mr. Presnell said there was an application form they used for the Courthouse and if the Board approved, they could start using the same form for their meeting chambers.

Chair Croley stated the form used for use of the Courthouse grounds could be expanded to include all county facilities.

Chair Croley asked when they could expect to see something regarding canopy roads.

Mr. Presnell said that would be forthcoming from Public Works.

COUNTY ATTORNEY

19. Update on Various Legal Issues

Mrs. Minnis reported her firm was successful in getting the hospital lawsuit dismissed.

She also stated that Mr. Glazer asked her to make the Board aware that the hospital was moving along with remodeling the space at the hospital.

Discussion Items by Commissioners

20. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County

Commissioner Taylor, District 5

Commissioner Taylor said she would like to revisit something the Board had voted on last meeting regarding the purchase of the old Thomas Motor Cars building for a new EMS facility. She said she was on the prevailing side and if she was in order, she did not think that particular vote had a fiscal impact and if possible, she would like to bring the matter back for further discussion. She did not understand at the time that the grant would cover everything and would like to revisit it and wanted to make sure she was in line and handling the matter in the correct way.

Ms. Minnis explained if Commissioner Taylor was certain this was what she wished to do, she could move to rescind her prior action and announce tonight or whenever she chose to do so that she would like to revisit the matter.

Mr. Presnell explained if it were not soon it would become a moot point anyway because of the deadline of applying for the grant.

Commissioner Taylor said she would like to address it at the very next meeting they had five commissioners present.

Chair Croley said he thought there could be an item to rescind and have an item to vote to place it on the agenda.

Commissioner Hinson said the County Manager was not straightforward that there was a gas tank located on the property.

Commissioner Taylor said that the gas tank becomes the problem of the Bank and it could be part of the stipulation regarding the purchase of the property and she was looking at the alternative and taking care of the citizens. She added she simply wanted to bring this matter back up for discussion.

Mrs. Minnis said there were a couple of ways to handle this under Roberts' Rules of Order to do reconsideration and it has to be done at the same meeting and explained how Commissioner Taylor could handle it.

COMMISSIONER TAYLOR MADE A MOTION TO RESCIND HER VOTE AND HAVE ITEM PLACED ON THE AGENDA AT NEXT MEETING TO HAVE VOTE RESCINDED AND TO HAVE PLACED ON AGENDA FOR ACTION. BEFORE VOTE WAS TAKEN, COMMISSIONER HINSON CALLED FOR DISCUSSION. CHAIR CROLEY SECONDED THE MOTION. COMMISSIONER HOLT CALLED FOR DISCUSSION.

Commissioner Holt had a question and asked if the grant was applied for, it would be in the County's name and therefore any restoration of the tank would have to be done before the grant was used.

Commissioner Taylor said she had thought about the hospital, but then thought about the expansion of the hospital to use it for what it was originally meant to be used for, a full-time hospital. She said she would not withdraw her motion now, but would wait until the full Board was present.

She said she understood the Sheriff planned to do something on Breast Cancer Awareness with some type of walk from the west side of the County to the east.

She stated to Commissioner Croley that she knew the importance of moving the agenda, but felt a little amiss when the young men were present and thought they needed to be mindful, and felt they may have missed an opportunity and may have made them feel uncomfortable in coming here and speaking to the Board.

Commissioner Holt, District 4

Commissioner Holt said on the issue of use of the facility, it was fine if Mr. Presnell used the same uniform application as was used for the Courthouse.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 4-0 TO HAVE ADMINISTRATOR PUT UNIFORM APPLICATION BE PUT IN PLACE FOR USE OF ALL COUNTY FACILITIES.

She said she had mentioned earlier putting the Citizens Bill of Rights on the agenda for a vote to have placed on the ballot.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON. BEFORE THE VOTE WAS TAKEN, CHAIR CROLEY STATED THE ATTORNEY HAD ALREADY POINTED OUT IT COULD NOT LEGALLY BE DONE AND THEN CALLED FOR THE VOTE. THE BOARD VOTED 3-1 TO HAVE THE CITIZENS' BILL OF RIGHTS PLACED ON AGENDA FOR VOTE TO PLACE ON BALLOT. CHAIR CROLEY OPPOSED.

She added there was a need to address Commissioners in attendance. Chair Croley stated this was not a chartered County, but was a constitutional county. Unless any Commissioner missed enough meetings or failed to participate in enough meetings and a complaint is made to Governor's office, he supposed they could be suspended until there has been an investigation, but he was not aware

of anything that gave them the authority to say they have to attend the meeting.

Mrs. Minnis said there was no ordinance or policy or procedure in place.

COMMISSIONER HOLT MADE MOTION TO PLACE ON AGENDA ITEM FOR ORDINANCE TO REQUIRE OR LOOK AT ATTENDANCE OF COUNTY COMMISSIONERS. MOTION DIED FOR LACK OF SECOND.

She said the reason she brought this matter up, if there are meetings where people come to look at legal items that are on the agenda, you put yourself at risk, and lives are placed on hold if the Commissioners were not at the meeting.

She then discussed the jail, and said the Board was responsible for the jail and its operation and wondered how liable they were with the goings on there and did not want to see something on television and then find out about it later.

Commissioner Morgan, District 3

Commissioner Hinson, Vice-Chairman, District 1

Commissioner Hinson said he agreed with the Commissioner and in the future, they needed to look at Public Works and the need of widening High Bridge Road.

He added that regarding the Alzheimer's Project, he had spoken with the Sheriff and there was a strong need for bracelets for Alzheimer's patients in this County.

He also asked that they be sensitive to visitors and felt slapped in the face being rushed tonight and they needed to treat guests like human beings and with respect.

Commissioner Croley, Chairman, District 2

Chair Croley said he had filed with Clerk's office his Certificate of Completion of his ethics course.

He asked Commissioner Taylor about the Canteen fund at the Jail, and since she was the last Board appointee asked for an update.

She said it had been approximately two years since they had met, she thought Chair Croley was now on the Board since he had been present for the meeting regarding the jail locks and said they needed to meet.

Chair Croley asked that the item be placed on the agenda and be addressed because it was a statutory requirement.

He wanted to address the length of the meetings. He said it was 9:55 p.m.; staff sitting out there was worn out along with everybody else. He asked the Administrator when having quasi-judicial meetings, to be mindful of items placed on the agenda. In the future, when there are presentations and they want to spend more time on them, to allow more time, but he did not want to do it with this kind of agenda.

RECEIPT AND FILE

NOVEMBER(S) MEETINGS

- November 5, 2013, Regular Meeting, 6:00 p.m.
- November 19, 2013, Regular Meeting, 6:00 p.m.

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 9:56 P.M.

DOUGLAS M. CROLEY, Chair
Board of County Commissioners

ATTEST:

Marcella Blocker, Deputy Clerk for
NICHOLAS THOMAS, CLERK